



U.S. Department of Justice
INTERPOL Washington
U.S. National Central Bureau

Washington, DC 20530

August 5, 2019

FOIA # 2019-084

Anonymous Requester
MuckRock News
DEPT MR 72580
411A Highland Avenue
Somerville, MA 02144

Dear Anonymous Requester:

This is in response to your request dated May 1, 2019, to INTERPOL Washington, U.S. National Central Bureau (USNCB), pursuant to the Freedom of Information Act (FOIA) for communications to or from 51 listed individuals and entities, and all agreements with 51 listed entities between January 1, 2017 and April 30, 2019.

We received your request on May 1, 2019. Please refer to the above FOIA number assigned to your request in any additional correspondence. On June 26, 2019, we acknowledged receipt of your request and informed you that your request was assigned to the complex track. On July 23, 2019, we informed you that after reviewing your request, a requester name is required in order to process your request, and your request was administratively closed.

We received your latest correspondence dated July 24, 2019, stating the following, "Neither 5 USC § 552 (a)(3)(A) nor 28 CFR Part 16, Subpart A appear to prohibit anonymous FOIA requests. I will state, however, that I am a natural person to meet the 'person' requirement. This should allow you to process my FOIA request." We note that your latest correspondence and request does not include your name, mailing address, or telephone number where you may be contacted. As stated above in our previous response to your request, the FOIA 5 U.S.C. 552(c) (2012 & Supp. V 2017), provides that upon receipt of a reasonably described request, records can be made available to a "person" (see 5 USC § 552 (a)(3)(A)), and your anonymous request did not comport with this statutory requirement as implemented in the Department of Justice via 28 CFR Part 16, Subpart A, as no "person" is identified as submitting this request.

Your request could potentially involve responsive records that require consultation with other federal government agencies. For your information, under the FOIA statute as amended (see 5 USC § 552 (a)(3)(E)(i)(ii)), any government agency that is a member of the intelligence community, is prohibited by law from providing records under the FOIA to a foreign government or their representatives. In order to consult and process any potential responsive records, the submission of a complete requestor name is required, as part of a valid request.

Because you have failed to clarify your identity and no "person" is identified in your request, we ask that you send us a letter with your name, mailing address, a phone number where the requester can be contacted, and detailing information about the records being requested. We will not be able to provide you with copies of records responsive to your request, if any, until we received your letter with the requested information. If we do not hear from you by August 31, 2019, we will consider your request for records withdrawn.

In addition, we note that your FOIA request is very broad including 102 separate searches over a two and a half year period. Under the FOIA, a requester at their own discretion may broadly phrase a request and seek wide-ranging categories of records. Please be aware that a FOIA request could be declined if the request places an unreasonable burden on the agency in producing the requested records. In order to help us assist you in locating the records you seek, you may wish to consider whether it is possible to revise your FOIA request to focus directly on records, timeframes, and employees of this office that would be responsive to the area of your interest. This would also assist us in reducing the time and potential expense associated with searching for and producing the requested records. If you wish to revise your request, you may submit a new FOIA request clarifying and identifying the records you seek.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with INTERPOL Washington's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following website:

<https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information

Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

You may contact the INTERPOL Washington FOIA Requester Service Center, as well as our FOIA Public Liaison, for any further assistance and to discuss any aspect of your request. Our contact information is as follows: INTERPOL Washington, U.S. Department of Justice, Washington, DC 20530-0001, Attention: Office of General Counsel, Tel.: 202-616-0201, Email: Interpol-USNCB.FOIA@usdoj.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Smith", is written over a light gray rectangular background.

Kevin Smith
General Counsel